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THE ANDHRA PRADESH GAZETTE

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NOTIFICATIONS BY GOVERNMENT

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ENVIRONMENT FORESTS SCIENCE & TECHNOLOGY DEPARTMENT (Section.II)

CERTAIN AMENDMENTS TO THE ANDHRA PRADESH FOREST OFFENCES (COMPOUNDING AND PROSECUTION) RULES, 1969.

[G.O.Ms.No. 114, Environment Forests Science & Technology (Section.II), 27th December, 2016.]

NOTIFICATION

In exercise of the powers conferred by Section 68 of the Andhra Pradesh Forest Act, 1967 (Andhra Pradesh Act No. 1 of 1967), the Government of Andhra Pradesh hereby notifies the following amendments to the Andhra Pradesh Forest Offences (Compounding and Prosecution) Rules, 1969 issued vide G.O.Ms. No. 438, F & RD (Legn.), Dated : 12-3-1969 published in Andhra Pradesh Gazette R.S. to Part-I, No.1, Dated: 29-5-1969 and as subsequently amended from time to time.

AMENDMENTS

1. in Rule 3 for sub-rule 2, the following shall be substituted, namely:-

“(2) The forest produce seized may be kept in the safe custody of any Forest Officer and a certificate to that effect shall be obtained in Form-C.”

2. for Rule 6, the following shall be substituted, namely:-

“(6) If, immediately after the offence is detected or the time of enquiry, the accused is willing to pay in advance any amount towards compensation to be fixed under Section 59 of the Act, any Forest Officer not below the rank of a Forester, may accept such amount and shall issue a receipt duly signed by him for the amount so received:

Provided that the acceptance of any amount as aforesaid shall be without prejudice to any decision that may be taken by the competent authority under these rules in regard to the quantum of compensation or the necessity or otherwise to compound the offence.

Provided that no compounding of offence shall be done in cases involving sandal wood, Red sanders wood and any scheduled tree."

3. in Rule 8, for sub-rule (iii), the following shall be substituted, namely:-

"(iii) However Forest Range Officer shall not compound any offence involving motorized vehicles".

4. for rule 11, the following shall be substituted, namely:-

"11 (i) The amount of compensation fixed under Rule 8 shall be paid by the person concerned within sixty days from the date of receipt by him of the order compounding the offence".

"(ii) In case the amount of compensation is not paid within sixty days from the date of receipt of compounding order, the amount, if any, paid shall be forfeited and the accused shall be proceeded with as if the offence is not compounded. The accused shall be produced before the Magistrate and the seizures shall become the property of the Government."

5. for Rule 13, the following shall be substituted, namely:-

"13. Where an order of prosecution is passed under Rule 12, a Forest Officer not below the rank of a Forest Section Officer authorised in this behalf or the Manager of a Primary Marketing Society, under the administrative control of the Girijan Co-operative Corporation Ltd., the officer so authorised or such Manager of the Primary Marketing Society, under the administrative control of the Girijan Co-operative Corporation Ltd., as the case may be; any Police Officer not below the rank of Sub-Inspector of Police shall file a charge-sheet in Form-E before the Magistrate having jurisdiction or the Authorized Officer."

Dr. P.V. RAMESH,
Special Chief Secretary to Government.

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